

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW MEXICO**

**In Re: Fred Dale Van Winkle,**

**Debtor.**

**No. 13-11743-J7**

**APPLICATION FOR ALLOWANCE OF COMPENSATION  
FOR ATTORNEYS FOR CHAPTER 7 TRUSTEE AND  
AUTHORIZING CHAPTER 7 TRUSTEE'S PAYMENT**

COMES NOW Clarke C. Coll (Coll Bros. Law, LLC), herein "Applicant", pursuant to 11 U.S.C. § 330 and Federal Rule of Bankruptcy Procedure 2016, hereby requests that this Honorable Court enter its Order, after opportunity for notice and hearing, approving and permitting an allowance be made to Applicant in the sum of \$1,720.00 in attorney fees, plus tax on said fees of \$122.55, plus actual costs of \$39.69 for a total of \$1,882.24, representing 100% of charges for services performed and costs incurred from June 18, 2013 to December 15, 2014 in connection with attorneys representation of the Chapter 7 Trustee in this proceeding and authorizing Chapter 7 Trustee's payment thereof. In support of this Application, Applicant states to the Court as follows:

1. Clarke C. Coll and Coll Bros. Law, LLC were employed as the attorneys for the Chapter 7 Trustee herein.

2. On June 18, 2013, the Trustee filed his Application to Employ said Attorney and firm as Attorneys for the Trustee, with the terms and rates of compensation agreed to and disclosed therein, being that the Trustee agreed to pay Applicant at the rate of \$200.00 per hour for legal services rendered and for all costs, expenses, and filing fees incurred in this matter (DOC 11). On June 20, 2013, an Order Approving Employment was entered herein (DOC 14).

3. Applicant pursued assets in this case related to the Debtors' non-exempt real estate assets located in New Mexico. Applicant prepared necessary employment documents filed in this case. Applicant prepared necessary legal documentation to sell the non-exempt assets and prepared and filed necessary Motions, Notices etc. Ultimately, the non-exempt property was sold for the gross sale price of \$12,500.00 and there were no costs of sale. Applicant reviewed other estate contracts and successfully pursued demand for turn over of estate funds received by debtor related to CRP farm payments. The estate recovered through turnover \$5,518.00 for the benefit of the estate. Applicant prepared necessary employment documents for the employment and payment of accountant. Applicant performed other legal work necessary to pursue recovery of estate assets.

4. All services for which compensation is requested by this Application were performed for and on behalf of the Trustee and not on behalf of any other party in interest, or any other person or entity. The Trustee has reviewed this Application and approves the requested amounts.

5. No previous applications for allowance have been filed by Applicant herein. No compensation has heretofore been paid to Applicant from the estate or any other source. All time and billing charges for services for which compensation is requested by counsel were prepared at or near the time such services were performed.

6. All services performed for which compensation is requested have been performed by Applicant and no charges have been made for services performed by Applicant's support staff or personnel.

7. Applicant has received no promises for payments from any source for services rendered or to be rendered in any capacity whatsoever in connection with this case, and there is no agreement or understanding between Applicant and any other person for the sharing of

compensation to be received for services rendered and costs incurred in this case except as has otherwise been disclosed in Applicant's Application to employ applicant as attorney for the Trustee filed herein.

8. The reasonable value of the services rendered from June 18, 2013 to December 15, 2014 by Applicant as legal counsel in all matters in which the estate required an attorney is \$1,720.00 in attorney fees, plus tax on said fees of \$122.55, plus actual costs of \$39.69 for a total of \$1,882.24. True and correct copies of Applicant's itemized billing statements are attached hereto as Exhibit "A".

9. Concurrence in this Application has not been sought since Notice of the filing of this Application is being mailed to all creditors and parties entitled to notice herein.

WHEREFORE, Clarke C. Coll, respectfully requests that this Court enter its Order approving and allowing the legal fees, costs and tax of Clarke C. Coll (Coll Bros. Law, LLC.) that have been incurred herein from the period of June 18, 2013 to December 15, 2014 as follows: the sum of \$1,720.00 in attorney fees, plus tax on said fees of \$122.55, plus actual costs of \$39.69 for a total of \$1,882.24; for an Order allowing the Chapter 7 Trustee to pay funds to the Applicant accordingly out of the estate funds; and for such other relief as just.

Clarke C. Coll/S/Submitted Electronically  
Clarke C. Coll  
Attorney for Chapter 7 Trustee  
P O Box 2288  
Roswell, NM 88202  
(575) 623-2288

I hereby certify that on 15th day of December, I electronically filed with the Court via the CM/ECF system this pleading and all attorneys and parties identified with the court for electronic service on the record in this case were served by electronic service in accordance with the CM/ECF system.

Clarke C. Coll/S/Submitted Electronically  
Clarke C. Coll